

Appln No. 09/963,872  
Amdt date December 20, 2004  
Reply to Office action of September 20, 2004

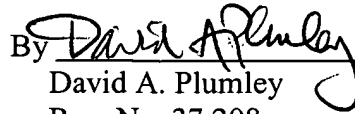
**REMARKS/ARGUMENTS**

Claims 1-7, 9, 11-17, 19, 21-27 and 29 remain pending in this application. In the Final action dated September 20, 2004, the examiner rejected all claims as unpatentable over Wang in combination with Amatucci et al. According to the examiner, Wang teaches a method of treating lithium manganese oxide spinel by heating the spinel in an inert gas atmosphere, coating the spinel with a hydroxide, and heating the coated spinel in an inert atmosphere. Because Wang fails to teach the use of the claimed coating-element sources, the examiner refers to Amatucci et al. for such teaching. However, nowhere do Wang or Amatucci et al. teach the use of an alkoxide of a coating-element source to coat a lithiated compound. Independent claims 1, 12 and 22 have been amended to specifically recite the use of an alkoxide of a coating-element source to make a positive active material for a rechargeable lithium battery. The remaining claims include such a limitation through their dependency on the independent claims. Because the claimed methods are neither taught nor suggested by the cited art, applicant submits that the claims are allowable and applicant requests the issuance of a Notice of Allowance.

Applicant also wishes to point out that the definitions of the lithiated compound at page 5 of the specification, and at claim 2 have been amended to remove minor typographical errors. No new matter is added by such amendments.

If there are any remaining questions, the examiner is asked to contact applicant's counsel at the number below.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
David A. Plumley  
Reg. No. 37,208  
626/795-9900

DAP/cls  
MEE PAS599153.1-\*12/20/04 2:59 PM